

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.219 of 2006

Vithal Ramchandra Kale .. Petitioner.
Vs.
Hriday Narayan Rai & Anr. .. Respondents.

Mr.Samir A.Vaidya for the petitioner.
Mr.R.Y.Mirza A.P.P. for the State.

**CORAM : D.B.BHOSALE, J.
DATED : 2ND AUGUST, 2006**

P.C.:

. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Mr.Vaidya, learned counsel for the petitioner
submits that if the notice is issued there are chances
of settlement. Issue notice to respondent no.1,
returnable in four weeks. In addition to the Court
notice, the petitioner shall serve respondent no.1 by
the advocate's notice either personally or through
R.P.A.D./speed post/courier/e-mail/fax and file
affidavit of service within four weeks from today,
failing which, this petition shall stand dismissed for
non prosecution without further reference to the
Court, even if the court notice remains unserved.

3. Pendency of this petition shall not operate as
stay as to further proceedings in the trial Court.

(D.B.Bhosale, J.)